

DISABILITY AND COMMUNICATION ACCESS BOARD

ANNUAL REPORT Fiscal Year 2004-2005



LINDA LINGLE, *Governor*
CHIYOME LEINAALA FUKINO, M.D., *Director of Health*

INTRODUCTION

The **Disability and Communication Access Board** (DCAB) seeks the full inclusion of individuals with disabilities into society. To achieve this goal, the Board adopts a comprehensive

Plan of Action for each fiscal year. This report highlights DCAB's most significant accomplishments towards meeting its annual goals and objectives.

BOARD MEMBERS

PATRICIA NIELSEN, *Chairperson*

CHARLES FLEMING, *Vice Chairperson*

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STAFF

Francine Wai, *Executive Director*

Facility Access Unit:

Curtis Motoyama, *Coordinator*

Gary Batcheller, *Facility Access Specialist*

Duane Buote, *Facility Access Specialist*

Mona Higa, *Facility Access Specialist*

David Poe, *Facility Access Specialist*

Program and Policy Development Unit:

Charlotte Townsend, *Coordinator (up to 12/04)*

Adele Ching, *Program Specialist*

Debbra Jackson, *Program Specialist*

Leonard Lau, *Program Specialist*

Kristine Pagano, *Communication Access Specialist*

Kirby Shaw, *Program Specialist*

Judy Paik, *HAVA Elections Specialist*

Administrative Support Unit:

Cindy Omura, *Secretary/Researcher*

Rene Clymer, *Clerk/Researcher*

Heather Cottrell, *Communication Access Technician*

Special Parent Information Network (SPIN):

Susan Rocco, *Coordinator*

Jan Tateishi, *SPIN Program Specialist*

NON-DISCRIMINATION STATEMENT: We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. If you have a concern, write or call the Disability and Communication Access Board or the Department of Health Affirmative Action Officer at P.O. Box 3378, Honolulu, HI 96801-3378, or call 586-4616 (v/tty) within 180 days of a problem.

CIVIL RIGHTS

- Coordinated the State's Americans with Disabilities Act (ADA) compliance efforts with Executive Branch departments, the University of Hawaii (UH), and the Judiciary to ensure access to programs and services of Hawaii State government. The policy issues facing State agencies for which DCAB

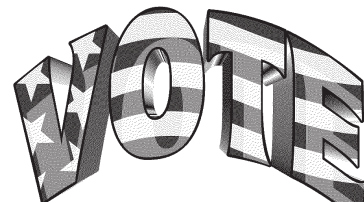


provided significant technical assistance were varied and included: ticketing policies and swap meet policies affecting persons with disabilities at Aloha Stadium;

access to and on the Super Ferry; emergency evacuation procedures for motorists with disabilities in the H-3 Tunnel; taxi policies at the airports; policies for boaters with disabilities at various harbors; policies for Deaf hunters on State lands; policies for consumers with mental illness accessing State services; policies for personal attendants in State housing projects; and accessibility to the Lyon Arboretum, UH Hamilton Library, and Washington Place.

- Established an ADA curriculum for State employees through the Department of Human Resources Development's Training Division. Conducted five (5) sessions on the ADA Title II and nine (9) specialized training sessions for specific agencies on access to programs and services for persons with disabilities.
- Coordinated quarterly meetings of the State's 34 Departmental ADA Coordinators to provide ADA-related updates. Developed a core training curriculum for new ADA Coordinators. In addition, DCAB staff hosted nine (9) teleconferences for ADA Coordinators with mainland speakers sponsored by the Pacific ADA & IT Center.

- Facilitated County government compliance with the ADA through the staffing of quarterly meetings of County ADA Coordinators. Key issues facing the counties continue to be implementation of their Transition Plans, communication access, housing contracts, parks and recreation access, and drivers' licensing policies.
- Collaborated with the State Office of Elections to implement the Help America Vote Act (HAVA) Grant. An outreach program of trainers was established to educate persons with disabilities on voting rights and polling/precinct officials were trained on best practices for assisting voters with disabilities. A brochure was developed for general distribution explaining

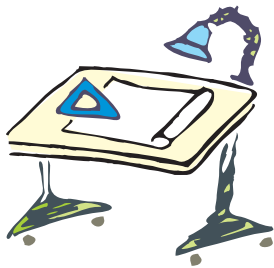


voting rights for persons with disabilities. A basic auxiliary aids kit was developed and made available at polling sites to assist voters with disabilities. As part of the HAVA Grant, all polling sites were surveyed for accessibility and equipment was purchased, such as portable ramps, signage, and call buttons for temporary, on-site modifications to remove barriers in the 2004 Primary and General elections.

- Assisted the State Department of Accounting and General Services implement a statewide emergency evacuation survey for employees with special needs.
- Conducted seven (7) trainings for consumers with disabilities on their rights under the law.

FACILITY ACCESS

- Under Hawaii Revised Statutes (HRS) §103-50, conducted 1,537 document reviews of buildings, facilities, and sites to ensure access, of which 828 were unduplicated projects. The largest number of State of Hawaii government projects submitted



for review continue to be under the jurisdiction of the Departments of Accounting and General Services, Transportation, or Land and Natural Resources. The latter two departments are under a consent decree relating

to implementation of their transition plans. The majority of County government projects are from the Departments of Public Works, Design and Construction, or Parks and Recreation. Schools, parks, and public rights-of-way, especially transition plan or architectural barrier removal projects, dominate the submittals. A separate Annual Report is available on DCAB's HRS §103-50 review process.

- Conducted eight (8) workshops for government employees on the design requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG). In addition, DCAB sponsored a training with the U.S. Access Board on the "Revised ADAAG/ABA (Architectural Barriers Act) Guidelines" for the architectural and engineering communities.

- Analyzed and provided comments to the U.S. Department of Justice on the proposed amendments to the rules to adopt ADAAG into Titles II and III of the ADA. The adoption of these rules is not yet final, making the revised ADAAG only a recommendation and not an enforceable standard.

- Issued seven (7) Interpretive Opinions of the ADAAG for review under HRS §103-50 to clarify technical or scoping requirements, including opining on the equivalent facilitation of several design elements. A complete list of Interpretive Opinions is available on the DCAB website.

- Analyzed and provided comments to the City and County of Honolulu to incorporate ADAAG and Fair Housing design requirements into the IBC (International Building Code) 2003 and NFPA (National Fire Protection Association) 5000 as adopted and amended by the County.

- Provided extensive technical assistance to the design community by fielding approximately 1,000 requests for guidance through our "design question fax line," and publishing two (2) **Access Bulletins**.

ACCESS BULLETIN

Edition #27
DISABILITY AND COMMUNICATION ACCESS BOARD
3rd Qtr. 2004-2005

The Disability and Communication Access Board (DCAB) has rendered several interpretive opinions to the Americans with Disabilities Act Accessibility Guidelines (ADAAG). A DCAB interpretive opinion is a clarification of a particular design standard, and only applies to the State and county construction projects subject to HRS §103-50. This Bulletin presents a summary of the questions received and their rulings rendered by the DCAB since the last *Access Bulletin* Edition #26. There are four parts to each interpretive opinion: the left column identifies the relative guideline section, the question is in **bold type**, the request's docket number and ruling date in [brackets], and the ruling in *italic*. If you would like to receive a copy of a complete docket, please call DCAB with your name, address, and the docket number you desire.

Americans with Disabilities Act Accessibility Guidelines

4.1.2 Accessible Sites and Exterior Facilities

4.3 Accessible Route

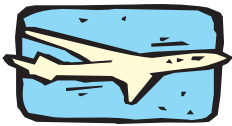
ADAAG 4.3.7	Slope	<p>Can the "Recommendations for Accessible Guidelines: Outdoor Developed Areas, Final Report", published in September 1999, Outdoor Recreation Access Routes, Section 16.3.7.1 Cross Slope, be utilized in lieu of the ADAAG Section 4.3.7 slope for a continuous unobstructed path designated for pedestrian use that connects accessible elements within a picnic area, camping area, or designated trailhead?</p> <p>[DCAB 2004-06; Rul: 03/04]</p> <p>When a designated accessible continuous path that connects accessible elements located in a camping area, picnic area, and/or leads to a trailhead in an outdoor developed area and the terrain is such that cross slopes cannot meet ADAAG 4.3.7 due to technical infeasibility, a cross slope to 1:33 maximum is acceptable.</p>
ADAAG 4.3.7	Slope	<p>Can the "Recommendations for Accessible Guidelines: Outdoor Developed Areas, Final Report", published in September 1999, Outdoor Recreation Access Routes, Section 16.3.7.2 Running Slope, be utilized in lieu of the ADAAG Section 4.3.7 slope for a continuous unobstructed path designated for pedestrian use that connects accessible elements within a picnic area, camping area, or designated trailhead?</p> <p>[DCAB 2004-07; Rul: 03/04]</p> <p>When a designated accessible continuous path that connects accessible elements located in a camping area, picnic area, and/or leads to a trailhead in an outdoor developed area and the terrain is such that running slopes cannot meet the ADAAG 4.3.7 due to technical infeasibility, a running slope may comply with one or more of the provisions below:</p> <p>a) Running Slope shall be 1:20 or less for any distance.</p> <p>b) Running Slope shall be 1:12 for 50 feet maximum. Resting intervals of 60 inches shall have a width at least as wide as the widest portion of the trail segment leading to the resting interval, and have a slope not exceeding 1:33 in any direction.</p> <p>EXCEPTION: Where the surface conditions require slopes greater than 1:33 for proper drainage, a 1:20 slope is permitted.</p>

COMMUNICATION ACCESS

- Tested twelve (12) sign language interpreter candidates under the Hawaii Quality Assurance System (HQAS). Upon completion of the test process, Interpreter credentials were issued consistent with Hawaii Administrative Rules Chapter 11-218. Four (4) additional applicants began the process but either dropped out or did not pass the written test.
- Began the process of developing a Hawaii Supplemental test (HQAS +H) to evaluate the skill and language proficiency of interpreters with respect to local (Hawaiian) language, idioms, and cultural contexts. The Hawaii Administrative Rules Chapter 11-218 were also revised to include the HQAS +H credential. The rules became effective on October 13, 2005.



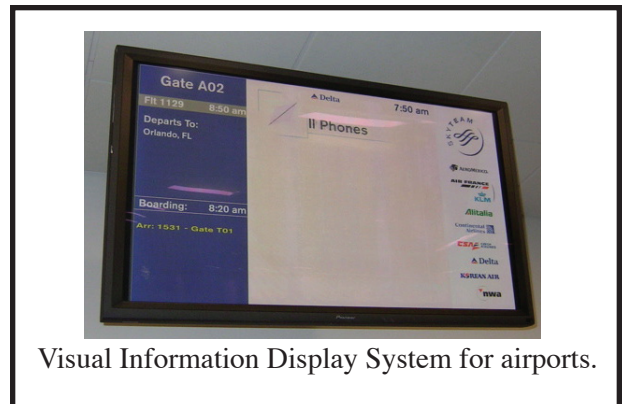
- Conducted fifteen (15) workshops on communication access for State and local government entities and coordinated six (6) workshops on communication access for the public. Trainings focused on methods of communication, hiring of American Sign Language interpreters, use of telecommunication devices for the Deaf, the telecommunication relay service, and other telecommunication equipment.



TRANSPORTATION AND TRAVEL (Non-Parking)

- Analyzed and provided comments to the U.S. Department of Transportation on amendments to the Air Carrier Access Act for persons with disabilities.
- Served on the State Department of Transportation's Section 5310 Review Panel to review and award money to nonprofit agencies providing transportation to the elderly or disabled population.
- Provided technical assistance to the State Department of Agriculture concerning quarantine rules and policies relating to fees for service animals for persons with disabilities.

- Began collaboration with the State Department of Transportation to ensure that the airport public address systems are accessible to persons who are deaf or hard of hearing.



PARKING

- Coordinated the administration of the parking program for persons with mobility limitations through memorandums of agreement (totaling \$210, 600) with the counties to issue the parking placards and license plates on behalf of the State of Hawaii. In fiscal year 2004-2005, a total of 25,559 four-year placards and temporary placards were issued. DCAB continued to purchase the placards and decals through central procurement and maintained the statewide database. Backup and security were added to the database this year.
- Continued the Parking Stall Design Notification Program utilizing volunteers to inform businesses of noncompliant parking stall design and provided technical assistance in redesigning the stalls. Thirty-nine (39) establishments were contacted during the year.



- Implemented a multi-pronged quality assurance program on the issuance of the parking placards. One component included a cross-reference to death records with letters to recover placards from the estates of deceased placard holders. Seven hundred twenty nine (729) letters were sent out with 255 placards (35%) returned during the year to either the DCAB office or a County office. A second component included a pilot program on Oahu to retrieve placards from individuals as they renewed their permit by mail. The pilot program of 126 letters resulted in a return of 98 placards, a 78% positive return rate, and a decision to expand the program statewide to all renewals by mail and in person. The third component was a review of duplicate entries of 158 records. The statewide database will be re-programmed to eliminate duplicate records and the need to manually check for duplicate entries.



EDUCATION - Implemented through the Special Parent Information Network (SPIN)

- Managed and operated the SPIN “warm line” responding to 2,258 requests for information on services from parents and professionals regarding the education and other needs of children with disabilities.
- Conducted the Annual SPIN Conference for 399 parents and professionals featuring twelve (12) workshops. These workshops provided extensive parent-professional collaboration as well as in-service training to professionals and outreach to parents.
- Produced “A Parent’s Guide to Special Education” and posted it on the SPIN website.



- Published four (4) issues of the SPIN newsletter with a circulation of 6,500 readers in addition to one special edition distributed to 25,000 readers. The SPIN newsletter provides information to all parents of children in the Department of Education on services and issues affecting the education of their children with special needs.
- Provided full administrative staff support for the Special Education Advisory Council (SEAC).

COMMUNITY SERVICES

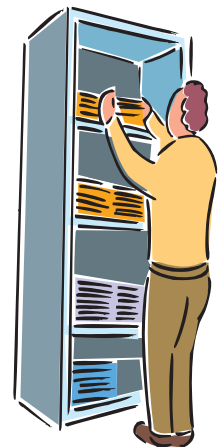
- Through the Olmstead Working Group, DCAB staff provided significant input on the State's Plan to meet the requirements of the Olmstead federal lawsuit. The Plan is still pending Governor's approval.
- Served on a working group of the Department of the Attorney General to develop a statewide plan for victim services, with emphasis on persons with disabilities as a target audience.
- Successfully testified for the passage of legislation to change the statutes concerning the licensing and funding of community-based services for persons with developmental disabilities, including obtaining increased funding for services.



- Through the QUEST Roundtable and QUEST Advisory Committee, DCAB staff provided technical assistance and input on the Department of Human Services waiver to extend QUEST and phase-in managed care for the population of individuals with disabilities.
- Cosponsored the "Caregiving for Families of Persons who are Elderly with Developmental Disabilities" conference along with a consortium of community agencies.

EMPLOYMENT

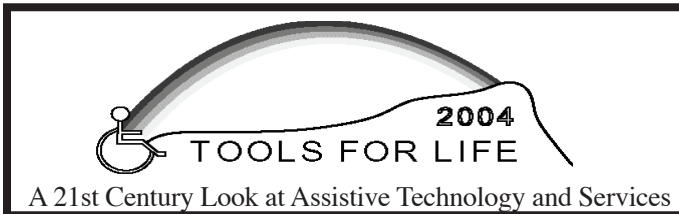
- Conducted nineteen (19) workshops on Title I of the ADA as part of the Department of Human Resources Development's ADA Curriculum series or for individual State and county departments. Also conducted two (2) workshops in conjunction with the Pacific ADA & IT Center for the Hawaii Employers Council for private employers on Title I of the ADA and the provision of Reasonable Accommodation.
- Conducted five (5) in-service trainings and provided technical assistance to the Komo Kaulike Project of the Department of Labor and Industrial Relations to ensure that persons with disabilities are served in the Workforce Investment Act programs.



- Provided technical assistance to State agencies in resolving ten (10) complex reasonable accommodation cases of State employees with disabilities seeking modifications to stay on the job.

OTHER GENERAL ACTIVITIES

- In partnership with the Assistive Technology Resource Centers of Hawaii, the Pacific ADA & IT Center and a consortium of community agencies, DCAB cosponsored the “2004 Tools for Life” Expo on July 9-10, 2004 at the Neal Blaisdell Center. The Expo featured 104 exhibit booths and 5 vehicles which showcased a full range of technology, products, and services to assist people with disabilities and their families in employment, daily living, and recreation. The Expo also featured 56 workshops to assist individuals understand a range of technology options, service options, and legal rights.



- The success of the event has pulled the community together to plan for the “2006 Tools for Life” Expo on June 9-10, 2006 at the Hawaii Convention Center.
- Entered into a contract with the Pacific ADA & IT Center to serve as the State of Hawaii link to provide outreach and training on the ADA to employers, public accommodations, designers, people with disabilities and their families.

- Updated DCAB’s website to significantly expand the volume of information provided to the public on disability issues in Hawaii to include DCAB’s revised publications, new administrative rules, interpretive opinions, manuals, disability statistics, and fact sheets.
- Published four (4) editions of DCAB’s newsletter, the **Ha’ilonō Kina**, which is sent to approximately 2,500 individuals. Recent issues are also posted on the DCAB website for wider viewing and dissemination.
- Responded to 3,984 requests for programs, services, and technical information from consumers, family members, and the general public. (Note: These numbers are in addition to the SPIN “warm line” and the Facility Access “design question fax line.”)
- Hosted the National Council on Disability’s (NCD) quarterly meeting in Honolulu, March 9-11, 2005. In addition to the quarterly meeting, NCD sponsored community forums on the following topics: Emergency Evacuation for Persons with Disabilities; Olmstead Implementation Nationwide; and Recreation & Travel for Persons with Disabilities.

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